

OVERSIGHT BOARD

RESOLUTION NO. 2012-03-1003

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY APPROVING A CONFLICT OF INTEREST CODE FOR THE SUCCESSOR AGENCY AND THE OVERSIGHT BOARD AND DIRECTING STAFF TO SUBMIT IT TO THE CITY COUNCIL AS THE CODE REVIEWING BODY PURSUANT TO THE CALIFORNIA POLITICAL REFORM ACT

WHEREAS, pursuant to the California Political Reform Act, every governmental agency must adopt a Conflict of Interest Code that sets forth, among other things, officials and employment positions and the disclosure filing requirements for designated employees in positions that involve the making or the participation in the making of governmental decisions and in positions that could affect the outcome of those decisions; and

WHEREAS, pursuant to Sections 87300, 87302 and 87303 of the California Political Reform Act of 1974, the Oversight Board of the Successor Agency to the Redevelopment Agency of the City of San Jose has adopted and incorporated by reference the terms of the standard model conflict of interest code adopted by the Fair Political Practices Commission (FPPC) by Title 2, Division 6, California Code of Regulations, Section 18730; and

WHEREAS, the former Redevelopment Agency Board of the City of San Jose approved a list setting forth: (1) designated positions of officers, employees, and consultants; and (2) required conflict of interest disclosure categories, and the new proposed Successor Agency list, attached hereto as Appendices I, is based

on the Agency's list but updated due to changes in organization and authority of Successor Agency and the establishment of the Oversight Board; and

WHEREAS, the Oversight Board held a public meeting on March 22, 2012 on the proposed Conflict of Interest Code for the Successor Agency and Oversight Board following the notice required by law; and

WHEREAS, the Political Reform Act requires that Conflict of Interest Codes approved by a local government agency be approved by a "code reviewing body";

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY that:

1. In accordance with Sections 87303 of the Political Reform Act, the Conflict of Interest Code for the Successor Agency and the Oversight Board is established in its entirety by this Resolution and the appendices attached hereto.
2. The terms of Title 2, Division 6, California Code of Regulations, Section 18730, and any amendments thereto, taken with appendices attached to this Resolution and incorporated by reference constitute the Conflict of Interest Code for all Successor Agency of the Redevelopment Agency departments, boards, commissions and committees and the Oversight Board.
3. Persons holding designated positions listed in the attached Appendix I, including temporary employees of the Successor Agency to the Redevelopment Agency and employees of the City of San Jose who are performing services to the Successor Agency of a type designated herein,

and consultants who are required to disclose pursuant to Appendix II, must file the Form 700 – Statement of Economic Interests when required by the California Political Reform Act or notified to do so by the Successor Agency Clerk or designee or by the terms of an employee or consultant agreement with the Successor Agency in accordance with the Act.

4. Successor Agency staff is directed to submit this Conflict of Interest Code to the City Council as the code reviewing body pursuant to Government Code § 82011(b).

ADOPTED this 22nd day of March, 2012, by the following vote:

AYES: DUENAS, GAGE, JOHAL (ALTERNATE), KNISS
(ALTERNATE), MADULI, SHARMA; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Chair

ATTEST: 

DENNIS D. HAWKINS, CMC
Clerk

APPENDIX I

Designated Positions	Reportable Disclosure Categories		
	Investments, Business Positions, Sources of Income	Real Property Interests	Gifts
Oversight Board			
County Board of Supervisors member*	Yes	Yes	Yes
County Finance Agency President*	Yes	Yes	Yes
City of San Jose Mayor*	Yes	Yes	Yes
Deputy City Manager	Yes	Yes	Yes
Santa Clara Valley Water District Director	Yes	Yes	Yes
Santa Clara County Board of Education Chief Business Officer	Yes	Yes	Yes
California Community Colleges Vice Chancellor	Yes	Yes	Yes
Successor Agency Board (City Council)*	Yes	Yes	Yes
City Employees			
Executive Officer (City Manager)*	Yes	Yes	Yes
Deputy City Manager	Yes	Yes	Yes
Director of Finance*	Yes	Yes	Yes
Assistant Director of Finance	Yes	Yes	Yes
Director of Housing	Yes	Yes	Yes
Successor Agency employees			
Managing Director	Yes	Yes	Yes
Chief Financial Officer	Yes	Yes	Yes

* Indicates Officials listed in California Government Code Section 87200.

The reportable disclosure categories should follow the instructions to the Form 700 – Statement of Economic Interests provided by the Fair Political Practices Commission.